

On July 22, 1921, the United States attorney having petitioned the court for an order authorizing and directing the condemnation and destruction of the product in that it was of a perishable character, was rapidly deteriorating in quality, and was in a condition to constitute a nuisance at the warehouse where it was stored, it was ordered by the court that the said product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9640. Adulteration and misbranding of gelatin. U. S. * * * v. 1 Barrel of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9778. I. S. No. 6076-r. S. No. C-1085.)

On February 26, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of gelatin, at Pine Bluff, Ark., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about November 2, 1918, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrel) "Technical Gelatine."

Adulteration of the article was alleged in substance in the libel for the reason that glue and an excessive amount of zinc had been mixed and packed with, and substituted wholly or in part for, gelatin. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, zinc, which might render it injurious to health.

Misbranding was alleged in substance for the reason that the statement "Gelatine" was false and misleading, and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, since it was purchased by the consignee as "A-1 Gelatine."

On October 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9641. Adulteration and misbranding of Daisy dairy feed. U. S. * * * v. 50 Sacks of Daisy Dairy Feed. Decree ordering release of product under bond. (F. & D. No. 10037. I. S. No. 7490-r. S. No. C-1161.)

On April 26, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 sacks of Daisy dairy feed, at Conway, Ark., consigned by the Sutherland Flour Mills Co., Cairo, Ill., alleging that the article had been shipped from Cairo, Ill., March 21, 1919, and transported from the State of Illinois into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (On tag) "100 Lbs. High Grade Milk Producing Daisy Dairy Feed Made from Ground Corn, Wheat Bran, Wheat Screenings, Alfalfa Meal, Oat Feed and Molasses. Guaranteed analysis protein 13.25%, fat 3.50 %, fibre, 12.50%, carbohydrates, 55%. Sutherland Flour Mills Company, Cairo, Illinois."

Adulteration of the article was alleged in the libel for the reason that a substance low in protein and high in fiber had been mixed and packed with, and substituted wholly or in part for, an article containing the percentage of protein, fat, and fiber indicated on the tag.

Misbranding was alleged for the reason that the above-quoted statements on the tag were false and misleading.